

True and Impartial Account of the Proceedings between Mr. Samuel Smith, Merchant in Ross, and Galpert Labalme, Major, in Major-General la Meloniere's Regiment.

ON the 23^d of Sept. last, the said Major *Labalme* being quartered, by Biller, on Mr. *Samuel Smith*, met him at seven a clock at Night in his Kitchen by the fire side, and receiving the said Biller, told the Major he was not, by Act of Parliament, to Quarter any body, and that he had already given the best Room to the Governor of *Dunganon* Fort, whom he was writing a Letter to, and expected to come very speedily.

The said Major then desired Mr. *Smith* to give him a room with a Chimney in it, which he would not do, whereupon the said Major told him the Kitchen was a very bad place for a man sick and old as he was, and if he would give him leave to bring in a bundle of Tents to ly on, he would make a shift for that Night. The said *Smith* with much intreating did at last consent to it; but one Capt. *Deperay* of the Regiment being informed of this, came about mid-night to his Major, and finding him in so ill a condition, got his own Field-bed to be set up in the said Kitchen for the said Major to lye in.

Notwithstanding this hardship put upon the said Major, he the next day, being the 24th, in the morning, desired his Landlord *Smith* to drink a dish of Coffee with him, and to accept of a dinner from him that day, which he refused: The Major then begged of him again to get him another place to ly in; who replied that the Governor of *Dunganon* aforesaid, would certainly come that day, and so he could not for the present give him any other accommodation, but if after all he should be obliged to quarter him, he would give him a Chamber without a Chimney.

On the 25th, being *Sunday*, the Major having obtained some fire in a little Parlour near the Kitchen, desired the House-keeper to tell her Master, that if he would permit him to set up his own Field-bed there he would be thankful to him; to which he replied that the Major should have good Quarters the next day; and so he was forced to ly in the Kitchen again, but gave the House-keeper 16^d. for her trouble and the fire he had that day in the said Parlour.

On the 26th, in the Morning, the said *Smith* coming to the Major, told him he should have good Accommodation that day in his House, for the Governor of *Dunganon* would either come or send his Orders, and the Major would soon be satisfied.

About one hour after came a man with Boots on into the Kitchen, who told Mr. *Smith* that the Governor of *Dunganon* presented his service to him, and had sent him to get his Room ready, they both went up, and a little while after the House-keeper came down, and told the Major her Master had sent her to let him know that presently he should have the best Room in the House, and ly that Night with the Governor's Lady, she went up again, and about a quarter of an hour after returned into the Kitchen, and said, bad News Major, the Governor's man hath taken the key of the fine Room, and is gone away with it; whereupon the said Major continuing sick, desired the Soverain of the Town to give himself the trouble to come and speak to his unkind Landlord, and try whether he could get him a Room with a Chimney, which he accordingly did, but could not persuade the said *Smith* to grant the Major so easy and so just a request; however the said Major desired the said Soverain and his Landlord to drink a glass of Wine with him, which they did, and in the Afternoon the said *Smith* coming down into the Kitchen where the Major was, did voluntarily offer him a Chamber with a Chimney, and carried him thither, for which he thanked him, and offered him to do all he could to deserve such a kindness.

The said *Smith* then told the Major that neither he nor his Servants had any cause to complain of him, but that the Centinel placed below might be troublesome, whereupon the Major did immediately remove him, and ordered that none should be placed there any more, and desired Mr. *Smith* to grant him some Sheets to ly in, which the said Mr. *Smith* refused, bidding the Major to ly in his own sheets which he used in the Kitchen; but the same being dirted, and filled up with Lice by a Beggar Boy that lay by the Fire side, and against the Major's Bed, he could not make use of them.

Mr. *Smith* before he left the said Room told the Major he had several things of consequence in some Trunks therein, the Major desired him to cause the same to be carried some where else, and in the mean time while the Major was at home, he or his Servants might at any time come there and take out what they wanted.

But in regard the said Major had all his Equipage, Goods & Papers of Moment, which must be under Lock and Key, he therefore desired the said *Smith* to give him the Key of the Room, promising whenever he would go out to leave it with him again, and give him the same Liberty of the Room which he himself had, if he would please to take care of his goods as aforesaid, which the said *Smith* refusing to do, and saying he had no Key to give, the Major then told him he must get a Lock, which he accordingly did the next day about nine a Clock; and the said Governour's Man being present at the Debate, said the Major speaks fair, he is a Reasonable Man, and cannot do better.

The said Major likewise told the said *Smith* he designed to go out of Town the next day being the 27th of September, and that his Room should all that day, until eleven at night, be left open, that the said *Smith* or his Servants might take out of it what they wanted; and going out of Town accordingly, and leaving some Coffee-dishes for a Captain of the Regiment, the same were broken by the people of the House.

On the 5th of October following, the said Major came back again to *Rosé*, and finding all the doors of the said *Smith's* House locked up, and his Servants having declared to the Major's Man, that there was no Quarter for his Master there, the said Major could neither get into his Chamber, nor take out his Goods, but was forced to take Lodgings for Money elsewhere.

The said *Smith* the next day in the morning came to Visit the said Major in his new Lodgings, and gave him leave in the afternoon to take his Goods out of the said *Smith's* Room, on which the said Major had put a Horse's Lock (not finding any other in the Town) to secure his own Goods while he was absent.

The said *Smith* then seemed to be very well satisfied with the Major, and spake very kindly to him, finding every thing in the Room as he had left there, and opening a Trunk, shewed him some Money he had there, and as the Major was taking away a Portmantue, with some other of his Goods; the said *Smith* then offered not only to keep the said Goods, but to let him have the same Room again, if he would stay but 5 or 6 days, but if it were for the whole Winter, the same would be too troublesome to him, by reason of his Trade and Commerce, which would require his being often abroad: And the said Major having thanked the said *Smith* for his kindness, took away his own Portmantue, and left the rest of his Goods in the same Room with Mr. *Smith*, who voluntarily offered to keep the same as aforesaid.

After all this, any one may be surpris'd at the proceeding of the said *Smith*, and the complaint made by him against the said Major, who hath no other notice thereof than by a Letter from the Lords Justices, to repair hither to Answer the said Complaint against him.

The said Major, on receipt of the Lords Justices Letter, immediately repaired to the Sovereign of the Town, who being satisfied with the said Major's innocence and behaviour, gave him the Certificate following.

By this Publick Instrument of Attestation and Certificate, be it known unto all Men, That on or about the 23th of September last past, *Gaspard Labalme* Major in Major-General *La Meloniere's* Regiment, was Quartered by Billet on Mr. *Samuel Smith*, Merchant, who denied and refused to give the said Major *Labalme* a Room or Chamber with a Fire-place or Chimney in it; tho' the said *Smith* had at the same time two Rooms which had Chimneys in, besides the Room the said *Smith* lay in: And the said Major being ill and indisposed in Body, would not accept a Room without a Chimney; and was by that means compelled to set up his Field-Bed in the Kitchen, upon which the said Major continuing sick, did on or about the 26th of September aforesaid, desire me to speak to the said *Smith* about letting the said Major have a Room with a Fire-place, which accordingly at the said Major's request I did, and the said *Smith* gave for Answer, that he would not let him have any Chamber with a Fire-place. I do also further Certifie, that the said Major did not (that I know or heard of) force any Room from the said *Smith*, neither did he ever debate or hinder the said *Smith's* Servants to go in or out where he lay, to the best of my knowledge, except the door which leads to the back-side, which the said Major acknowledgeth to have kept shut for preventing the Cold and Wind: That when I went into the Kitchen where the said Major lay, I saw a Naked Fellow with a Ragg on him in a Beggars Garb or Habit; whom the Major told me was Insolently sitting by the Fire, with him as his Companion, and as the Major said placed there by Mr. *Smith*, and that in some time after, the said *Smith* gave the Major another Room with a Chimney in it; which the said Major as he acknowledges locked up, for the security of his Goods when he went out of the Town, and was forced to buy a Horse Lock to fasten the Door, because the said *Smith* refused to give him the Key which belonged to that Door, and when the said Major returned back from his Journey he found all the Doors of the said House Locked and fast, so that he could not go to his Chamber to take any of his own Goods, and was forced to get Lodgings elsewhere, all which at the request of the said Major *Labalme*, I Certifie to be as aforesaid, In Witness hereof I have Subscribed my Name this 7th Day of October, Anno. Dom. 1698.

John Winckworth, Sovereign of *Rosé*.

The Major before this Certificate of the Sovereign was made, went out of the Town, and hath been there no more since that time, having required in parting the said Sovereign to send him a Certificate of what he knew of his doings in the said *Smith's* house, which he did.